

AMENDED IN SENATE SEPTEMBER 8, 2003

AMENDED IN SENATE SEPTEMBER 3, 2003

AMENDED IN SENATE JULY 7, 2003

AMENDED IN ASSEMBLY MARCH 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 493**

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**Introduced by Assembly Member Salinas**  
**(Coauthors: Assembly Members Bermudez and Cogdill)**  
*(Coauthors: Senators Denham and McPherson)*

February 14, 2003

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~~An act to amend Section 50650.3 of the Health and Safety Code, relating to housing. An act to add Section 6608.5 to the Welfare and Institutions Code, relating to sexually violent predators.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 493, as amended, Salinas. ~~CalHome Program~~ Sexually violent predators.

*Existing law provides for the commitment of convicted sexually violent predators to the custody of the State Department of Mental Health for treatment, under specified conditions. If the Director of Mental Health determines that the person's diagnosed mental disorder has so changed that the person is not likely to commit acts of predatory sexual violence while under supervision and treatment in the community, the director is required to forward a report and recommendation for conditional release to the superior court of the county in which the person was convicted of the offense for which he or*

*she was committed to the jurisdiction of the Department of Corrections and the court is required to set a hearing, as specified. A person who has been committed as a sexually violent predator may petition the court for conditional release with or without the recommendation or concurrence of the Director of Mental Health. Upon receipt of a petition from the Director of Mental Health or a committed person, if that petition is not based upon frivolous grounds, the court is required to hold a hearing to determine whether the person committed would be a danger to the health and safety of others in that it is likely that he or she will engage in sexually violent criminal behavior due to his or her diagnosed mental disorder if under supervision and treatment in the community; if not, the court is required to order the committed person placed with an appropriate forensic conditional release program operated by the state for one year.*

*This bill would require a nonparolee who is conditionally released under these provisions to be placed in the county of the civil commitment, except that the court may consider a recommendation for alternative placement forwarded to the court by the Director of Mental Health.*

~~The existing CalHome Program authorizes funds appropriated for purposes of the program to be used to enable low- and very low income households to become or remain homeowners.~~

~~Funds are provided by the Department of Housing and Community Development to local public agencies or nonprofit corporations for grants for programs that assist individual households or as loans that assist development projects involving multiple homeownership units, including single-family subdivisions. Grant funds may be used for first-time homebuyer downpayment assistance, home rehabilitation, homebuyer counseling, home acquisition and rehabilitation, or self-help mortgage assistance programs, or for technical assistance for self-help and shared housing homeownership. Loan funds may be used for purchase of real property, site development, predevelopment, and construction period expenses incurred on homeownership development projects, and permanent financing for mutual housing or cooperative developments.~~

~~This bill would authorize CalHome Program financial assistance to be provided as a secured forgivable loan to an individual household to rehabilitate, repair, or replace manufactured housing in a mobilehome park that is not permanently affixed to a foundation. The bill would~~



~~limit the funds used for that assistance to 10% of the funds available to the CalHome Program in a fiscal year.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

~~SECTION 1. — Section 50650.3 of the Health and Safety Code~~

*SECTION 1. Section 6608.5 is added to the Welfare and Institutions Code, to read as follows:*

*6608.5. (a) Except as provided in subdivision (b), and except with respect to a parolee placed pursuant to Section 3003 of the Penal Code, a person who is conditionally released pursuant to this article shall be placed in the county of the civil commitment.*

*(b) When the Director of Mental Health determines that extraordinary circumstances require placement outside the county of the civil commitment, the director shall forward a recommendation to the court designating an appropriate alternative placement. The court shall consider the recommendation of the director and may approve placement consistent with the recommendation. If the court rejects the director's recommendation, placement shall be made in the county of the civil commitment.*

~~is amended to read:~~

~~50650.3. — (a) Funds appropriated for purposes of this chapter shall be used to enable low- and very low-income households to become or remain homeowners. Funds shall be provided by the department to local public agencies or nonprofit corporations as either of the following:~~

~~(1) Grants for programs that assist individual households.~~

~~(2) Loans that assist development projects involving multiple homeownership units, including single-family subdivisions.~~

~~(b) Grant funds may be used for first-time homebuyer downpayment assistance, home rehabilitation, homebuyer counseling, home acquisition and rehabilitation, or self-help mortgage assistance programs, or for technical assistance for self-help and shared housing homeownership. Loan funds may be used for purchase of real property, site development, predevelopment, and construction period expenses incurred on homeownership development projects, and permanent financing~~

1 ~~for mutual housing or cooperative developments. Upon~~  
2 ~~completion of construction, the department may convert project~~  
3 ~~loans into grants for programs of assistance to individual~~  
4 ~~homeowners. Financial assistance provided to individual~~  
5 ~~households shall be in the form of deferred payment loans,~~  
6 ~~repayable upon sale or transfer of the homes, when they cease to~~  
7 ~~be owner-occupied, or upon the loan maturity date. Financial~~  
8 ~~assistance may be provided in the form of a secured forgivable loan~~  
9 ~~to an individual household to rehabilitate, repair, or replace~~  
10 ~~manufactured housing located in a mobilehome park and not~~  
11 ~~permanently affixed to a foundation. The loan shall be due and~~  
12 ~~payable in 20 years, with 10 percent of the principal to be forgiven~~  
13 ~~annually for each additional year beyond the 10th year that the~~  
14 ~~home is owned and occupied by the borrower. Not more than 10~~  
15 ~~percent of the funds available for the purposes of this chapter in a~~  
16 ~~fiscal year shall be used for financial assistance in the form of~~  
17 ~~secured forgivable loans.~~  
18 ~~(e) All loan repayments shall be used for activities allowed~~  
19 ~~under this section, and shall be governed by a reuse plan approved~~  
20 ~~by the department. Those reuse plans may provide for loan~~  
21 ~~servicing by the grant recipient or a third-party local government~~  
22 ~~agency or nonprofit corporation.~~

